

REMARKS

Claims 1, 3, and 4 are amended, and claim 21 is added. No new matter is added by these amendments. Claim 2 was previously canceled without prejudice or disclaimer. Claims 5-8, and 17-20 are canceled without prejudice or disclaimer. Claims 1, 3-4, 9-16, and 21 are pending. By amending and canceling the claims, applicant is not conceding that the claims are unpatentable over the art cited by the Office Action and is not conceding that the claims are non-statutory under 35 U.S.C. 101, 102, 103, and 112, as the claim amendments and cancellations are only for the purpose of facilitating expeditious prosecution. Applicant respectfully reserves the right to pursue the subject matter of the claims as it existed prior to any amendment or cancellation and to pursue other claims in one or more continuation and/or divisional applications. Applicant respectfully requests reconsideration and allowance of all claims in view of the amendments above and the remarks that follow.

1. Claims 5-8 are rejected under 35 U.S.C. 101

Claims 5-8 are canceled without prejudice or disclaimer, so the rejections are moot.

2. Claims 1 and 3-20 are rejected under 35 U.S.C. 112, first paragraph.

The rejections were reversed by the Board of Patent Appeals and Interferences, in the Decision on Appeal dated January 27, 2011.

3. Claims 1, 3-4, and 17-20 are rejected under 35 U.S.C. 112, second paragraph.

Claim 1 is amended to remove "incorrect," so the rejections of independent claim 1 and dependent claims 3-4 are moot.

Claims 17-20 are canceled without prejudice or disclaimer, so the rejections are moot.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is requested. The Examiner is invited to telephone applicant's attorney (651-645-7135) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 09-0465.

Respectfully submitted,



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CERTIFICATE UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being transmitted via facsimile to the Commissioner for Patents, 571-273-8300, or is being transmitted via the Office electronic filing system, on: March 28, 2011.



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